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PAB 23  
RE84- NOV 9 1984

Nov 16 11:00 PM '84

ENVIRONMENTAL PROTECTION  
AGENCY  
NEW YORK, N.Y. 10007  
John J. Trela, Ph.D.  
Chief, Bureau of Groundwater Discharge Permits  
Division of Water Resources  
New Jersey Department of Environmental Protection  
CN 029  
Trenton, New Jersey 08625

Re: Administrative Notice of Deficiency (NOD)  
Lenox China, Inc.  
EPA I.D. Number NJD002325074

Dear Mr. Trela:

Reference is made to your correspondence of October 12, 1984, in which you submitted the Resource Conservation and Recovery Act (RCRA) Part B Administrative Notice of Deficiency (NOD) for Lenox China, Inc. The Permit Section has reviewed the NOD and has found it adequate. Nevertheless, certain items need to be included as discussed at the meeting between Mr. Angel Chang and Mr. John Chang-Chen of my staff and Mr. Ken Slet and his assistants from your office.

Section

Comment

C-2  
Waste Analysis Plan

C-2a, Parameters and Rationale, should be marked inadequate.

D-4  
Surface Impoundments

C-4(1) should be D-4c(1). As described in the content of the Part B application, the clay materials at the bottom of both impoundments are solidated sludge deposits. State should reject Lenox China's claim that both surface impoundments are clay lined.

E-4

E-4, contaminant plume description, should be marked inadequate.

G-6

Line 1 of comment which states "Lenox China must describe the coordination agreements....." should state "document" instead of "describe."

H-1b

No training frequency is provided in the Part B application.



Section

Comment

I-1d

I-1d, Maximum Waste Inventory, should be marked  
"inadequate"  
as no information is provided.

As agreed between the Environmental Protection Agency (EPA) and the New Jersey Department of Environmental Protection (NJDEP), the Administrative NOD should be sent to the facility by November 23, 1984.

If there are any questions regarding our comments, please feel free to contact Mr. John Chang-Chen or Mr. Angel Chang of my staff at (212) 264-1064 or 264-1253. They will coordinate with NJDEP personnel, as appropriate.

Sincerely yours,

James Reidy, P.E.  
Chief  
Permit Section  
Solid Waste Branch

bcc: R. Baker, PAB  
J. Chang-Chen, SWB



State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WASTE MANAGEMENT  
32 E. Hanover St., CN 028, Trenton, N.J. 08625

DR. MARWAN M. SADAT, P.E.  
DIRECTOR

LINO F. PEREIRA, P.E.  
DEPUTY DIRECTOR

PE85-21 JUN 1985

A. J. Gustray, Director, Facilities Engineering  
Lenox China Division, Lenox, Inc.  
Tilton Road  
Pomona, NJ 08240

RE: Lenox China, Second Administrative Completeness Review  
Part A and Part B Hazardous Waste Facility Permit Application,  
EPA ID NO. NJD 002 325 074

Dear Mr. Gustray:

The Bureau of Hazardous Waste Engineering and the Bureau of Ground Water Discharge Permits have concurrently reviewed Lenox's revised Part B permit application and found it administratively incomplete. The additional information received April 29, 1985 (dated April 17, 1985) failed to address many completeness checklist comments provided in the December 6, 1984 letter from the Division of Waste Management. The requested information below is a reiteration of the comments not addressed from the first administrative checklist plus additional comments for the administrative review. These items have been listed using the same numbering sequence as that of the original checklist.

The following comments shall be addressed and a response submitted to the Bureau of Hazardous Waste Engineering within thirty (30) days of the date of this letter. Four copies of the response is necessary and should be prepared for revision of the Part B application package.

Part A Application

In accordance with N.J.A.C. 7:26-12.2(d), a copy of the Lenox China Part A application must be submitted.

Facility Description

B-2a, B-2b

The topographic map information requested in the original checklist of 12/6/84 has not been submitted as of the date of this letter. This comment is to document that this information remains deficient while it is understood that it may take additional time to prepare.

21 JUN 1985

C-1

According to the cover letter dated April 17, 1985 accompanying the response document, Lenox China should have submitted a laboratory report detailing chemical and physical analyses of representative waste samples to the Department by the date of this letter.

#### Process Information

In accordance with N.J.A.C. 7:26-12.2(e)9iv, all engineering designs, reports, plans and other technical engineering documents shall be signed and sealed by a registered professional engineer.

D-1a(1)

Provide the maximum number of each type of hazardous waste to be stored in containers on the TCE sludge storage pad. This maximum volume cannot exceed the volume supplied on the Part A permit application for container storage. The closure plan provides for a maximum of 4,200 pounds of sludge, however this figure must be in volume units and be consistent with the Part A. Also, indicate on a drawing of the TCE sludge storage pad the aisle space configuration.

D-1a(2)

Describe the container management practices used to ensure that hazardous waste containers are always kept closed during storage, except when adding or removing waste, and are not opened, handled or stored in a manner that may cause them to rupture or to leak.

D-1a(3)

Describe the procedures and equipment (i.e., pump and piping drawings) used to remove accumulated liquids from the sump pit. Specify the methods for determining whether the accumulated material in the sump pit is a hazardous waste. Describe the disposal method for accumulated liquids not determined as hazardous.

D-4c(1)

In order to conduct the technical review of the application, the applicant must supply documentation showing that the clay liners in the existing surface impoundments are able to prevent any migration of constituents (including lead) out of the surface impoundment to the adjacent subsurface soil or ground water or surface water during the active life of the surface impoundment per N.J.A.C. 7:26-10.6(b).

In accordance with 40 CFR 264.221(a) requirements D-4c(1) to D-4d(6) pertaining to the liner engineering report and liner foundation design description are not required for existing facilities. However, in accordance with N.J.A.C. 7:26-10.6(b)2 of the New Jersey State Hazardous Waste Land Disposal Regulations an existing surface impoundment must be underlain by soil or a material with a maximum saturated hydraulic conductivity of  $1 \times 10^{-7}$  cm/sec or a synthetic material which is designed to prevent flow of liquids through the liner. In addition, the New Jersey Department of Environmental Protection must approve the liner

21 JUN 1985

based on review of existing data from ground water monitoring. Pursuant to the aforementioned state regulation, the applicant must supply the following information in addition to the information contained in the submitted Part B application:

1. Demonstrate liner utilized has sufficient strength to accommodate the following conditions which may be encountered:
  - a. internal and external pressure gradients;
  - b. stresses resulting from settlement, compression or uplift;
  - c. climate conditions (freeze-thaw stress);
  - d. operating stresses.
2. Provide the results of liner material/waste compatibility testing demonstrating that liner strength and performance are still adequate after exposure to the wastes which will be discharged to the impoundment.
3. If available, a liner foundation report including:
  - a. liner foundation design and materials of construction;
  - b. capability of the foundation to support any expected static or dynamic loading;
  - c. subsurface exploration data;
  - d. laboratory testing data of the site materials.

D-4e(4)

The freeboard requirements, especially those associated with normal and extreme wind activity should have been addressed, per N.J.A.C. 7:26-10.6(c)2.

D-4f(1) through D-4f(6)

According to the cover letter dated April 17, 1985 accompanying the response document, Lenox China should have submitted information regarding design layout and construction materials of all the dikes, erosion protection controls, subsurface soil conditions, stability analyses and strength and compressibility test results, per N.J.A.C. 7:26-10.6(c), (e). Lenox China must also submit written certification by a New Jersey licensed professional engineer attesting to the structural integrity of all dikes, in accordance with N.J.A.C. 7:26-10.6(c)3,4.

E-5 and E-6

In response to the first administrative completeness check, Lenox China proposed a detection monitoring program for the surface impoundment. However, Lenox China should be in a compliance monitoring program, pursuant to N.J.A.C. 7:14A-6.15(i)8, as evidence by a September 10, 1984 letter to the NJDEP from Lenox describing observed statistical differences in analyses from upgradient and downgradient wells. Lenox described these differences as real and not attributable to spurious or anomalous values. To make a technical review of the ground water monitoring section of the application, Lenox must provide information regarding the compliance monitoring program instead of the detection monitoring program. This must include all Part B submittal requirements for a

21 JUN 1985

compliance monitoring program as required in E of the checklist and N.J.A.C. 7:26-12.2 for ground water compliance program.

## F-1a(3)

Lenox China must document that signs with the legend, "Danger-Unauthorized Personnel Keep Out", are posted at each entrance to the active portion of the facility as specified in N.J.A.C. 7:26-9.4(h)3.

## G-4a

The following agencies shall also be notified in the event of a discharge, fire, or explosion which could threaten human health or the environment:

- 1) New Jersey Department of Environmental Protection  
Spill Response Unit  
Yardville, NJ 08625  
Telephone: (609) 292-5560 or  
(609) 292-7172 (24 hours)
- 2) Environmental Protection Agency  
Oil and Hazardous Materials Section  
Raritan Depot, Edison, NJ 08817  
Telephone: (201) 548-8730

These State and Federal contacts shall be included in section number 7 of the Contingency Plan.

## G-4c

Lenox China must provide the criteria that the emergency coordinator will use to determine if an evacuation is necessary.

## G-41(2)

Lenox China must specify the procedure to be followed for recertifying a dike's structural integrity, pursuant to N.J.A.C. 7:26-10.6(g)5.

## G-6

Pursuant to N.J.A.C. 7:26-9.7(h)2, Lenox China must document the coordination agreements it has with local police and fire departments, hospitals, contractors and state and local emergency response teams to familiarize them with the facility and any necessary emergency actions. Additionally, it must be documented that these agencies receive copies of the contingency plan.

## I-1c

In accordance with N.J.A.C. 7:26-9.8(e), the closure plan for the Slip Basin must be revised to address removal, treatment and/or disposal of approximately 1,200,000 gallons of hazardous waste in storage. It cannot be assumed, for purposes of the closure plan, that all hazardous wastes were previously removed leaving closure activities primarily involved with removal of contaminated soil, providing clean fill and decontamination of equipment. Every closure scenario

21 JUN 1985

must include maximum hazardous waste inventory removal, treatment and/or disposal.

The closure plan for the TCE sludge storage area must also address the removal and disposal of the maximum inventory of TCE sludge drums.

I-1d

In light of comment I-1c above, describe how the hazardous waste inventory will be removed, treated and/or disposed, and how all facility equipment and structures associated with this specific activity be decontaminated or disposed of when closure is completed.

I-1d(4)

In accordance with N.J.A.C. 7:26-10.6(h)4, a contingent closure plan must also be provided for the Slip and Glaze Basin for compliance with N.J.A.C. 7:26-10.6(h)2 in case not all contaminated subsoils can be practicably removed at closure. In addition, a contingent post-closure plan must accompany the contingent closure plan and be prepared pursuant to N.J.A.C. 7:26-9.9.

I-1F

The closure schedules for the Slip Basin and TCE sludge storage area shall be revised to include removal of the maximum inventory of hazardous waste.

Please submit a revised estimate of the expected year of closure for the Glaze Basin. Once a final Hazardous Waste Facility Permit is issued the closure plans are considered approved. Will closure of the Glaze Basin then be finalized seven months after permit issuance?

I-2a through I-2c

See comment I-1d(4) above for submission of a contingent post-closure plan.

The post-closure monitoring plan and costs in Schedule A of the Trust Agreement must be provided in the closure/post-closure plan section of the Part B permit application.

I-4

The closure cost estimates for the Slip Basin, Glaze Basin, and TCE Sludge Storage Area shall be revised to include removal, treatment and/or disposal costs for the maximum hazardous waste inventory of each area. Decontamination of equipment associated with these activities shall also be included in the cost estimate.

The contingent closure cost estimate, and contingent post-closure cost estimate associated with post-closure maintenance and inspection, shall be included in the total cost estimate for facility closure and post-closure.

21 JUN 1985

I-5

The first, second and third sentence of Section 14 of the Trust Agreement shall be revised to read:

1. "All orders, requests and instructions by the Grantor to the Trustee shall be in writing, signed by such persons as are designated in the attached Exhibit A."
2. "The Trustee shall be fully protected in acting without inquiry in accordance with the Grantor's orders, requests and instructions."
3. "All orders, requests and instructions by the NJDEP to the Trustee shall be in writing, signed by the NJDEP Commissioner."

Schedule A of the Trust Agreement shall be revised to include the contingent closure and post-closure costs (see comment I-4) along with the closure cost of the TCE Sludge Storage Area, and any cost amendments as requested under comment I-4.

The Irrevocable Standby Letter of Credit shall be increased should the above requested revisions raise the fund above its current value.

I-6

See comment I-4.

I-8

The Hazardous Waste Facility Certificate of Pollution Liability Insurance refers to policy number 2226-08-043430 which is different than the policy number supplied on the actual policy on file with the NJDEP (2224-08-043430). Either the policy or the certificate shall be revised to make both documents consistent on policy number.

J

Please demonstrate compliance with the requirements of applicable federal laws such as the Wild and Scenic Rivers Act, National Historic Preservation Act of 1966, Endangered Species Act, Coastal Zone Management Act, and Fish and Wildlife Coordination Act.



21 JUN 1985

If you have any questions on this letter, feel free to contact Scott Baker of my staff at (609) 984-4892 or Kathy Lapham from BGWDP at (609) 292-0424.

Very truly yours,



Frank Coolick, Chief

Bureau of Hazardous Waste Engineering

EP7/slw

c: Ken Siet, DWR  
Kathy Lapham, DWR  
Angel Chang, USEPA Region II  
Erhardt P. Werth, Geraghty & Miller Inc.



State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WASTE MANAGEMENT  
32 E. Hanover St., CN 028, Trenton, N.J. 08625

DR. MARWAN M. SADAT, P.E.  
DIRECTOR

RICHARD C. SALKIE, P.E.  
ASSOCIATE DIRECTOR

A. J. Gustray, Director  
Facilities Engineering  
Lenox China Division, Lenox, Inc.  
Tilton Road  
Pomona, New Jersey 08240

1 APR 1986

RE: Lenox China, Technical Review Part A & B Hazardous Waste  
Facility Permit Application EPA ID No. NJD 002 325 074

Dear Mr. Gustray:

The Bureau of Hazardous Waste Engineering has conducted a Technical Review on Lenox China's Part A & B permit application. This review only involves the hazardous waste drum storage activity. A separate letter addressing the Slip and Glaze Basins will be sent from the Bureau of Groundwater Discharge Permits, Division of Water Resources.

The Part B permit application involving drum storage is essentially complete. Below is a comment regarding the Part A portion of the permit application and a general comment on waste handling at the site. These comments shall be addressed and a response submitted within thirty (30) days of the date of this letter:

1. In regard to the Part A permit application, the process design capacity section must be revised to list an accurate drum storage (S01) capacity. Page 2-5 of the Part B mentions that a maximum of twelve 30 gallon drums (360 gallons) are accumulated before shipment. The closure plan (pages 12-12) gives a maximum inventory at 12 drums (360 gallons). The Part A only lists 50 gallons under drum storage.

Two completely revised copies of the Part A shall be submitted.

2. Describe the Waste Oil handling and storage procedures at Lenox. Section 6- Inspection refers to a Waste Oil Tank in a sample inspection check list. The description shall include the capacity of the tank(s), type of waste oil stored, whether any containers (drums) store waste oil, and total on-site capacity if containers are used in addition to the tank(s). (This description can be explained in a cover letter.)

CN 028  
Trenton, N.J. 08625-0028

Let's protect our earth



cc: BT 2J  
ENVIRONMENTAL  
PROTECTION AGENCY  
REGION II  
(609) 633-1400

88 JUL -1 AM 11:43

State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF HAZARDOUS WASTE MANAGEMENT

Michele M. Putnam  
Deputy Director  
Hazardous Waste Operations

John J. Trela, Ph.D., Director

Lance R. Miller  
Deputy Director  
Responsible Party Remedial Action

HAZARDOUS WASTE  
FACILITIES BRANCH

Teach NOD

✓ JUN 14 1988

Mr. Albert Gustray  
Lenox China, Inc.  
Tilton Road  
Pomona, NJ 08240

RE: Hazardous Waste Permit Application, Lenox China, Pomona  
EPA ID NO. NJD 002 325 074

Dear Mr. Gustray:

The Bureau of Hazardous Waste Engineering (the Bureau) has resumed the review of Lenox China Part B application for a hazardous waste facility permit.

Since Lenox China has agreed to close the surface impoundments with the DEP's Division of Water Resources, the part B now covers only the storage of containerized hazardous waste and possibly waste oil in tanks.


It has been determined that the application is deficient in several areas and additional information will be required to make the application technically complete. The deficient items are noted and explained in the attached comment sheet.

This referenced facility is hereby advised to submit four (4) copies of its response to these deficiencies within thirty (30) days of the date of this letter. Failure to submit a timely and complete response could be cause for enforcement action and initiation of denial procedures. In the future, the Division may request additional information from the applicant to satisfy application requirements as necessary.

JUN 14 1988

We have taken the liberty of scheduling a conference in order to assist you in preparing the response to this NOD. The conference has been scheduled for June 27, 1988 at 10:00 a.m. and will be held at this office. If it is determined that this conference is unnecessary, inconvenient, or if you have questions, please call George Mejia of my staff at (609)292-9880 to notify or cancellation.

Very truly yours,



Ernest J. Kuhlwein, Chief  
Bureau of Hazardous Waste Engineering

EP35/tmg  
Enclosures

cc: Barry Tornick, USEPA  
Terry Ostrander, SBFO  
Ken Siet, BGWDP

LENOX1  
BATMCB

#### COMMENTS

- 1) Based on Lenox's letter of April 29, 1986 that describes the methods used by Lenox to handle and store waste oil, this activity does not need to be included in the part B permit. However, if the facility accumulates 1001 gallons or more of waste oil (count of oil in containers plus oil in the two 250 gallon tanks), the facility must dispose of the waste oil within ninety (90) days of the date when accumulation reached 1001 gallons. Storage of waste oil for longer than ninety (90) days is an activity which requires a hazardous waste permit under the New Jersey Hazardous Waste Regulations, N.J.A.C. 7:26-1 et seq.
- 2) The Waste Analysis Plan is presently undergoing review by the Department's Bureau of Environmental Quality Assurance (BEMQA). The plan will have to be updated to comply with the requirements of EPA's publication, SW-846 (3rd edition, 1986). Once the deficiencies on the waste analysis plan are available, they will be sent to Lenox.
- 3) A revised closure cost estimate is required. The closure cost estimate must be based on the Rules and Regulations of the Federal Register, Vol. 51, No. 85 dated Friday, May 2, 1986 that state the closure cost estimate must be based on the costs to the owner or operator of hiring a third party to close the facility. A third party is a party who is neither a parent nor subsidiary of the owner or operator. It must itemize labor costs, transportation costs, cost of equipment and supplies, removal and disposal of hazardous waste plus administrative and contingency expenses. For your convenience, a guidance document is being enclosed to help you prepare an itemized closure cost estimate.
- 4) The facility has not kept up to date with payments to the Trust Fund established by Lenox to comply with the financial requirements for facility closure required per N.J.A.C. 7:26-9.10. The facility is not in compliance with the liability requirements of N.J.A.C. 7:26-9.13 either. The facility is required to update both requirements.



ENVIRONMENTAL  
PROTECTION AGENCY  
REGION II  
(609) 833-1408

88 AUG -5 AM 10:52

HAZARDOUS WASTE  
FACILITIES BRANCH

Lance R. Miller  
Deputy Director

Responsible Party Remedial Action

PE88 - AUG 02 1988

CN 028  
Trenton, N.J. 08625-0028

State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trella, Ph.D., Director

Michele M. Putnam  
Deputy Director  
Hazardous Waste Operations

Stephen F. Lichtenstein  
Senior Vice President  
Lenox, Inc.  
100 Lenox Drive  
Lawrenceville, NJ 08648-2394

RE: HAZARDOUS WASTE PERMIT APPLICATION, LENOX, INC., PAMONA  
EPA ID NO. NJD 002 325 074 ←  
APPLICATION NOD RESPONSE THIRTY DAY EXTENSION FOR

The Bureau of Hazardous Waste Engineering (Bureau) is in receipt of your letter dated July 13, 1988 requesting a thirty (30) day extension to answer the Bureau's letter of June 14, 1988 to Mr. Albert Gustray of your staff.

The Bureau hereby grants Lenox, Inc. a thirty (30) day extension to submit the required information. The new deadline for submission is August 13, 1988. Failure to submit the required information on time may result in enforcement action.

If you have any questions, please call Mr. James Bridgewater of my staff at (609) 292-9880.

Very truly yours,

Ernest J. Kuhlwein, Jr., Chief  
Bureau of Hazardous Waste Engineering

EP52/tmg

cc: Barry Tornick, USEPA-Region II  
Thomas Downey, SFO

LENOX2  
BATMCB

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2 J  
ENVIRONMENTAL  
PROTECTION AGENCY  
REGION II

88 OCT 19 AM 11:17

HAZARDOUS WASTE  
FACILITIES BRANCH

State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF HAZARDOUS WASTE MANAGEMENT

Michele M. Putnam  
Deputy Director

Hazardous Waste Operations

John J. Trela, Ph.D., Director  
401 East State St.  
CN 028  
Trenton, N.J. 08625-0028  
(609)633-1408

Lance R. Miller  
Deputy Director

Responsible Party Remedial Action

PE88 - OCT 13 1988 ✓

Mr. Al Gustray, Director  
Facilities Engineering  
Lenox China, Inc.  
Tilton Road  
Pomona, NJ 08240

Dear Mr. Gustray:

RE: Hazardous Waste Permit Application. Lenox, Inc., Pomona  
EPA ID No. NJD 002 325 074

The Bureau of Hazardous Waste Engineering (the Bureau) is in receipt of your letter supplying closure cost estimate and financial assurance data.

The Bureau has found the closure cost estimate to be deficient. I have listed these deficiencies in Attachment I. Please note that any changes in the closure cost estimate resulting from these deficiencies must be reflected in Lenox's financial assurance mechanism. I have enclosed a closure cost guidance document to aid in completing your estimate.

Lenox's Waste Analysis Plan (WAP) has been reviewed by the Department's Bureau of Environmental Measurements and Quality Assurance (BEMQA). Their comments are listed in Attachment II.

Please be advised that the sludge degreaser pit is to be included in your Part B application. Therefore Lenox must submit to the Bureau engineering designs detailing the degreasing process, piping and outdoor pad. In addition Lenox must supply a written description of the process detailing operations from the point of generation (TCE degreaser tank) to point of disposal (drum storage pad). This description must include degreaser tank operation, piping and sludge transport methods from the tank to the initial TCE sludge drum, and sludge drum removal method from the pit to the drum storage pad. This data should be submitted within sixty (60) days.

OCT 13 1988

The Bureau has reviewed three reports from Geraghty and Miller, Inc. outlining lead and trichloroethylene (TCE) contamination at the Lenox site. An initial report dated October 26, 1987 and a later report dated August 31, 1988 outlined TCE contamination resulting from both the drum storage area and sludge degreaser pit. A third report dated September 1, 1988 detailed lead contamination in Glaze Basin soil samples taken on July 22, 1988. Based on these findings the Bureau is requiring soil samples at the drum storage pad and sludge degreaser pit to determine the extent of any contamination at these areas. I have outlined the required soil sample locations, depths, and test parameters in Attachment III. Lenox must submit a Soil Sampling and Analysis Plan (SSAP) to the Bureau for review within sixty (60) days.

Lenox has yet to inform the Bureau whether it intends to continue with the Part B permit process or it will request for less than ninety (90) day storage authorization. Lenox must inform the Bureau of its intentions within sixty (60) days. Failure to submit the information required by this letter in full and within the times specified will result in enforcement action and possible initiation of permit denial procedures in accordance with N.J.A.C. 7:26-12.10.

If you have any further questions, please call Mr. Jim Bridgewater of my staff at (609) 292-9880.

Very truly yours,



Ernest J. Kuhlwein, Jr., Chief  
Bureau of Hazardous Waste Engineering

EP52/abl  
Enclosure

c: Barry Tornick, USEPA, Region II  
Thomas Downey, BSE  
Sara Kinsel, DWR-BGWQC  
Rick Manley, Lenox  
Gordon Beaver, BHWE



Attachment I

Closure Cost Estimate Deficiencies

Slip Basin :

The mobilization, demobilization and treatment of waste material costs must be further broken down to show incremental costs for each activity. Lenox must state what steps are involved with each activity giving unit cost breakdowns for each step.

Drum Storage Pad:

The closure cost estimate for this unit must be based on design capacity and not on current inventory. Closure costs must also be broken down by step giving unit breakdown costs per steps.

Sludge Degreaser Pit:

Lenox must develop a closure cost estimate for this unit.

Attachment II

Waste Analysis Plan Deficiencies

1. The sampling procedures described should be updated to conform to the sampling methods described in Volume II, Part III, Chapters Nine and Ten of the 3rd edition of SW-846 protocol, or to the NJDEP's latest edition of the "Field Sampling Procedures Manual." The facility must provide rationale and justification for the use of facility specific procedures which are not approved by the Department.
2. The plan does not state whether nonfacility people are involved in any sampling.
3. The plan should cite 3rd edition SW-846 methods.
4. The plan should include QA/QC programs for internal and commercial labs, either within the text or referenced in an appendix. The programs should be complete and detailed, including duplicate and replicate analyses, and conform to the procedures as outlined for each method within the latest edition of SW-846 protocol. The plan should also address the quality control measures involved in the sampling procedures. The inclusion of facility and/or contract laboratory SOPs in the plan is the most efficient way to meet the analytical requirements of the Waste Analysis Plan. If submitted, these SOPs should conform to the latest edition/revision of approved procedures and methods, including the QA/QC (e.g. 3rd edition of SW-846, etc.)
5. The plan should include the performance evaluations of sampling and analysis personnel for internal and commercial labs, either within the text or referenced in an appendix. These evaluations should clearly indicate how the facility will verify that the respective personnel have demonstrated proficiency in the application of the various approved techniques and use of the standard instrumentation. This may include the use of blind, duplicate and proficiency samples, or an independent audit by supervisory staff to determine the precision and accuracy of personnel in the application of approved techniques and procedures, both in the lab and in the field. A written test following a prescribed training program is acceptable. A copy of the test should be included in the plan.
6. A sample of the chain-of-custody form for internal and commercial labs should appear in the plan. The documentation of the chain-of-custody should, at least, conform to the procedure outlined in the appropriate section of the latest revision of SW-846 protocol. The chain-of-custody should include all the steps in handling from the field sampling through the lab aspects of the handling, including any movements to and from storage.
7. The lab aspects of the handling of the sample should include those steps in the procedure from receipt of the sample through the final analysis, including any movements to and from storage. A copy of an actual form should also appear in the plan.

Attachment III

Soil Sampling

<u>Sample</u>	<u>Method</u>	<u>Depth</u>	<u>Parameter</u>	<u>Notes</u>
S <sub>1</sub>	Split Spoon	6"-12" below	EPTOX <sup>1</sup>	Bias sample to cracked or stained area
P <sub>1</sub> -P <sub>6</sub> <sup>2</sup>	Split Spoon	18"-30" below surface	PP Metals- Lead, EPTOX <sup>1</sup>	Sample locations equally spaced along pad length. Sample 6"-10" away from pad.

1. Lenox shall include in the soil sampling and analysis plan which parameters of the EPTOX volatile organics fraction are to be tested. These parameters must include values for Trichloroethylene (TCE).
2. Sample points P<sub>2</sub> and P<sub>3</sub> may not be obtainable due to the proximity of the metal shed on the west wall of the pad. All reasonable attempts shall be made to obtain these samples.

CN 028  
Trenton, N.J. 08625-0028



*Copy to Chief* 2J

ENVIRONMENTAL  
PROTECTION AGENCY  
REGION III  
(609) 633-1408

89 APR 11 AM 8:17

State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF HAZARDOUS WASTE MANAGEMENT

HAZARDOUS WASTE  
FACILITIES BRANCH

Michele M. Putnam  
Deputy Director  
Hazardous Waste Operations

John J. Trela, Ph.D., Director

Lance R. Miller  
Deputy Director  
Responsible Party Remedial Action

4/5/89

CAS- APR 05 1989

Louis A Fantin  
First Asst. General Counsel  
Lenox, Inc.  
100 Lenox Drive  
Lawrenceville, NJ 08648-2394

RE: Drum Storage Area Soil Sampling and Analysis Plan, Lenox China, Inc.,  
Pamona, EPA ID No. NJD 002 325 074

Dear Mr. Fantin:

The Bureau of Hazardous Waste Engineering (the Bureau) is in receipt of the drum storage area Soil Sampling and Analysis Plan (SSAP) dated February 9, 1989, submitted by Geraghty and Miller Inc. on behalf of Lenox China, Inc. The SSAP is deficient and must therefore be revised and resubmitted. Specific deficiencies that must be addressed are listed in Attachment I.

Please submit a revised SSAP to the Bureau within thirty (30) days from the date of this letter. If you have any questions, please call Mr. James Bridgewater of my staff at (609) 292-9880.

Very truly yours,

*Thomas Sherman*  
Thomas Sherman, Acting Chief  
Bureau of Hazardous Waste Engineering

EP52/dbm  
Attachments

c: Thomas Downey, BSE  
Barry Tornick, USEPA

Robert A. Saar, Ph.D./Catherine L. Gilroy  
Geraghty and Miller, Inc.  
125 East Beth page Road  
Plainview, NY 11803

## Attachment I

- the Target Compound List (TCL).

Helen decease 609-984-1694	10
Bureau of Env. Health and Quarantine Assistance	11
609-633-0763	12
Cathy Grimms	13
	14

15. Disposable gloves must be utilized for sample collection and changed between sample locations.
16. Future revisions to this Soil Sampling and Analysis Plan should be prepared in accordance with the "Guidelines for Preparation of RCRA Soil Sampling and Analytical Plans".
17. The Bureau must be notified at least fourteen (14) days prior to initiation of sampling activities so that a representative from the Department can be present to audit the soil sampling episode.

EP52/dbm

DOCUMENT: ATTATCH1  
FOLDER: DBMMCB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

OCT 18 2006

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Article number: 7003 2260 0000 3244 1857

John Kinkela  
Director of Environmental Engineering  
Lenox Incorporated  
P.O. Box 247  
Pomona, New Jersey 08240

Re: **Notice of Deficiency and Advisement**  
**Lenox Incorporated Site, 545 Tilton Road, Pomona, NJ/**  
**EPA ID # NJD002325074**

**RCB ID# 07-0000-3008-03**

Dear Mr. Kinkela:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of human health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 et seq.

Pursuant to RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272. For the purposes of this Notice of Determination, the hazardous waste regulations governing the generation of hazardous waste were promulgated in 1980 and amended by HSWA in 1984.

The State of New Jersey is authorized by the EPA to conduct a hazardous waste program under Section 3006 of RCRA, 42 U.S.C. § 6926 and is authorized to enforce RCRA. The EPA has retained its authority to enforce the hazardous waste rules and regulations in the State of New Jersey.

On or about **August 9, 2006**, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, EPA sent Lenox Incorporated (Lenox) a Request for Information (RFI) seeking information about its site located at 545 Tilton Road, Pomona, New Jersey (the "site"). The purpose of the RFI was to determine if Lenox had financial assurance for RCRA closure/post-closure costs and/or RCRA corrective action costs at the Tilton Road site. It should be noted that the purpose of the RFI was not to determine if these costs were sufficient. This determination has been deferred to the State of New Jersey.

As a result of our review of Lenox' response, dated September 5, 2006, to the RFI, the following determination and advisement is provided:

Your response indicates that Lenox currently maintains financial assurance for RCRA post-closure and corrective action costs at the site. This financial assurance is in the form of a letter of credit (LOC) in the amount of \$263,095.00 (two hundred and sixty three thousand and ninety five dollars). EPA's review of the LOC indicates that separate cost estimates for post-closure and corrective action activities are not specified.

The purpose of this Notice of Deficiency is to provide advisement that separate cost estimates for post-closure and corrective action should be specified in the LOC. The purpose of this is to eliminate any issue concerning the pay-out terms for each category of cost in the event that the regulatory agency needs to collect from the credit provider.

Please submit, within forty-five (45) days of the receipt of this correspondence, a response which includes: [1] a description of the actions you have taken to correct the deficiency, cited above; and [2] documentation demonstrating that the deficiency has been corrected, i.e., a copy of an amended document, etc.

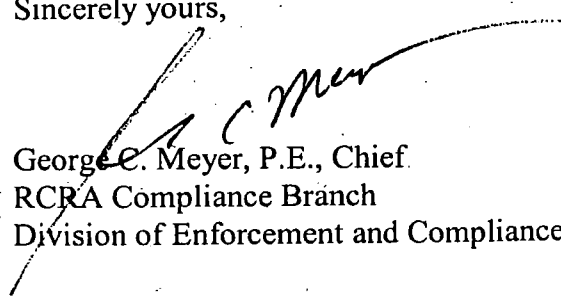
The response to this Notice of Deficiency must be mailed to the following addressee:

Mr. John Wilk  
Compliance Officer  
RCRA Compliance Branch  
Division of Enforcement and Compliance Assistance  
U.S. Environmental Protection Agency - Region 2  
290 Broadway, 22nd floor  
New York, New York 10007-1866

Failure to comply and submit the documentation requested in this Notice of Deficiency may subject you and/or your company to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928.

If you have any questions regarding this matter, please contact Mr. John Wilk at (212) 637-4130 or e-mail to [wilk.john@epa.gov](mailto:wilk.john@epa.gov).

Sincerely yours,



George C. Meyer, P.E., Chief  
RCRA Compliance Branch  
Division of Enforcement and Compliance Assistance



cc: Joseph Mirabella, Chief  
Bureau of Hazardous Waste Compliance and Enforcement  
Central Region Field Office  
New Jersey Department of Environmental Protection

bcc: RCRA Files, 2OPM/ISS  
John Wilk, 2DECA/RCB/HWCS ✓